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3 **UNITED STATES DISTRICT COURT**

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5 **DISTRICT OF NEVADA**

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9 DONALD GLEN ESTES,)

2:04-CV-0149-RLH-GWF

10)
11 Plaintiff,)

12 vs.)

ORDER

13 SOUTHERN NEVADA ADULT)
14 MENTAL HEALTH; DR. RAMIREZ;)
15 DR. SHERKS; DR. LEMMONS,)

Defendants.)
_____)

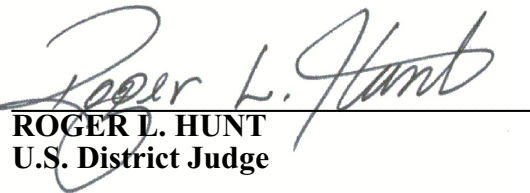
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17 Before this Court is the Order & Findings and Recommendations of United States
18 Magistrate Judge (#109, filed March 28, 2007), entered by the Honorable George W. Foley,
19 regarding Defendants' Motion for Judgment on the Pleadings (#95, filed December 21, 2006);
20 the undersigned's Order (#98, filed January 16, 2007), directing Plaintiff to file an affidavit
21 fulfilling the requirements of N.R.S. 41A.071; and Plaintiff's Motion to Comply with Written
22 Affidavit (#106, filed February 26, 2007). There was also Plaintiff's Response (#110, filed April
23 2, 2007) to Defendants' Motion for Judgment on the Pleadings, which was reviewed by the
24 Court. No objection was filed to Magistrate Judge Foley's Order & Findings and
25 Recommendations in accordance with Local Rule IB 3-1 or 3-2 of the Rules of Practice of the
26 United States District Court for the District of Nevada, and the matter was submitted for
27 consideration.

28 The court has conducted a *de novo* review of the record in this case in accordance

1 with 28 U.S.C. §636(b)(1)(A), (B) and © and Local Rule IB 3-1 and 3-2 and determines that the
2 Order of Magistrate Judge Foley is not clearly erroneous or contrary to law and that Judge
3 Foley's Findings and Recommendations should be accepted and adopted.

4 IT IS THEREFORE ORDERED that Magistrate Judge George W. Foley's Order
5 & Findings and Recommendations (#109) is AFFIRMED and ADOPTED; Defendants' Motion
6 for Judgment on the Pleadings (#95) is granted in its entirety; Plaintiff's Motion to Comply with
7 Written Affidavit (#106) is denied; and the case is DISMISSED without prejudice.

8 Dated: April 17, 2007.

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11 **ROGER L. HUNT**
12 **U.S. District Judge**
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